

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JAMES EVERETT SHELTON
316 Covered Bridge Road
King of Prussia, PA 19406

Plaintiff

v.

DOAN SOLUTIONS, LLC
5842 Fayetteville Road #105
Durham, NC 27713

THAI DOAN, individually and as Chief
Executive Officer/Principal of DOAN

and Does 1-100, inclusive

Defendants

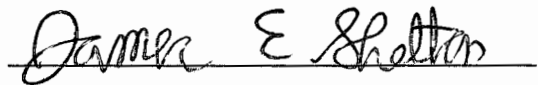
Civil Action No. 2:17-cv-02368

Honorable Legrome D. Davis

MOTION FOR CLERK'S ENTRY OF DEFAULT JUDGMENT PER RULE 55(b)(1)

Comes now James Everett Shelton and requests the clerk of court, pursuant to Rule 55(b)(1) of the Federal Rules of Civil Procedure, for entry of a judgment by default against the defendants DOAN SOLUTIONS, LLC and THAI DOAN. In support of this request, Plaintiff relies upon the record in this case and the affidavit submitted herein.

Dated: 6/24/2016



James Everett Shelton
316 Covered Bridge Road
King of Prussia, PA 19406
(484) 626-3942
jamieshelton66@yahoo.com
Plaintiff, *Pro Se*

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JAMES EVERETT SHELTON
316 Covered Bridge Road
King of Prussia, PA 19406

Plaintiff

v.

DOAN SOLUTIONS, LLC
5842 Fayetteville Road #105
Durham, NC 27713

THAI DOAN, individually and as Chief
Executive Officer/Principal of DOAN

and Does 1-100, inclusive

Defendants

Civil Action No. 2:17-cv-02368

Honorable Legrome D. Davis

AFFIDAVIT IN SUPPORT OF CLERK'S DEFAULT JUDGMENT PER RULE 55(b)(1)

I, JAMES EVERETT SHELTON, declare under penalty of perjury that the following facts are true and correct to the best of my information and belief:

1. I am the Plaintiff Pro Se in this action.
2. A Complaint was filed in this case on May 24, 2017.
3. The summons and complaint were duly served upon defendants DOAN SOLUTIONS, LLC and THAI DOAN on June 2, 2017.
4. More than twenty-one (21) days have elapsed since the defendants in this action were served, and the defendants have failed to plead or otherwise defend as provided by the Federal Rules of Civil Procedure.
5. Defendants have not sought additional time within which to respond.

6. Default has been entered against the defendants.
7. The claim of the Plaintiff is for the sum of \$12,000 plus interest from the date of judgment as provided by law, together with the costs of this action. The damages requested are statutory in nature and capable as being calculated as follows.
 - a. Two “robocalls” in violation of 47 U.S.C. § 227(b)(1)(A), which carries a minimum statutory penalty of \$500 per call pursuant to 47 U.S.C. § 227(b)(3), which are trebled pursuant to 47 U.S.C. § 227(b)(3).
 - b. Two “sales calls” to a number on the National Do-Not-Call Registry in violation of 47 U.S.C. § 227(c)(3)(F), and 47 C.F.R. 64.1200(c)(2), which carries a minimum statutory penalty of \$500 per call pursuant to 47 U.S.C. § 227(c)(5)(B), which are trebled pursuant to 47 U.S.C. § 227(c)(5).
 - c. Two refusals to put Plaintiff’s number on defendant’s “do-not-call list” in violation of 47 CFR 64.1200(d)(3), which carries a minimum statutory penalty of \$500 per call pursuant to 47 U.S.C. § 227(c)(5)(B), which are trebled pursuant to 47 U.S.C. § 227(c)(5).
 - d. Two refusals to provide plaintiff defendant’s “do-not-call policy” in violation of 47 CFR 64.1200(d)(1), which carries a minimum statutory penalty of \$500 per call pursuant to 47 U.S.C. § 227(c)(5)(B), which are trebled pursuant to 47 U.S.C. § 227(c)(5).
 - e. Damages are thus calculated at \$12,000 total as such: \$3,000 for count (a), \$3,000 for count (b), \$3,000 for count (c), and \$3,000 for count (d).
 - f. For the foregoing reasons, Plaintiff moves the clerk of court to enter judgment against defendants DOAN SOLUTIONS, LLC and THAI DOAN in the amount

of \$12,000, plus interest and costs, pursuant to Federal Rules of Civil Procedure
Rule 55(b)(1), since judgment is for a certain sum.

**FURTHER AFFIANT
SAYETH NAUGHT**

Commonwealth of Pennsylvania,

County of MONTGOMERY

Before me, the undersigned notary

public, this day appeared

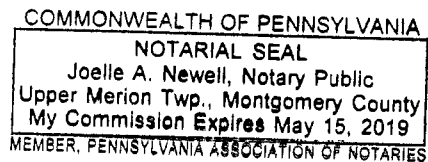
JAMES E. SHELTON

to me known, who being duly sworn
according to law, deposes the above.

Subscribed and sworn to before me this

26 day of JUNE, 2017

Shewell
Notary Public



James E. Shelton

James Everett Shelton
316 Covered Bridge Road
King of Prussia, PA 19406
(484) 626-3942
jamieshelton66@yahoo.com
Plaintiff, *Pro Se*